

## TIE VOTE IN HOUSE ON MYERS MEASURE

(Continued From First Page)

The Second Auditor, the State Treasurer and one of the State proxies, servants of the Commonwealth, in opposing the merger bill before the Senate committee. The representatives of the people, he thought, were the ones to settle this question, and the popular branch of the Assembly had already acted on it.

The Richmond, Fredericksburg and Potomac bill, which is now on the Senate calendar with an unfavorable report, was not taken up yesterday. It can still be reached.

A sentence of interest in the good roads movement was uttered in the House by Mr. Kemper. It was to the effect that many counties will have to adopt toll gates to keep up the roads which are being built with State aid.

Many revenue bills, and the popular branch of the Assembly had already acted on it.

A large part of the time of the Senate was occupied in talking the Norfolk annexation bill to death.

## HOUSE

Mr. Page, rising to a question of personal privilege upon the opening of the House session yesterday, said:

"Mr. Speaker, this House, representing the popular branch of the General Assembly, in order to increase the revenues of the State, passed after full hearings of the question at which both the Attorney-General and the ex-Army-General were heard, by what was practically a unanimous vote (two members voting against it), the bill allowing the Richmond, Fredericksburg and Potomac Railroad Company to take out a new charter and merge with other roads of this State, subject to the provision of the law applicable to other railroads and upon the condition of the surrender of its special privileges.

"This bill safeguarded the interests of the State in every particular, and made any action thereunder subject to the approval of the majority of the committee, consisting of the Governor, the Corporation Commission, the Speaker of the House and the presiding officer of the Senate.

"This measure, which has had the sanction of the executive and the popular branch of the General Assembly, has been opposed and defeated in the committees of the Senate by the opposition of the State Treasurer, Second Auditor and one of the proxies voting the State stock. In other words, the holders of the State's property have undertaken to interfere with the disposition thereof."

Mr. Power, who had introduced everything Mr. Page had said. In this matter he had done all he could to comply with the wishes of his constituents. It was in committee of the other branch that this demand was made. He had no objection to the bill in favor of the State going out of the railroad business and selling its stock in the R. F. & P.

Mr. Love, on a question of personal privilege, explained his position on the income tax amendment. In view of editorial criticisms, he said that the proposed amendment would give Congress the power to levy a tax on incomes under \$5,000, and could let the wealthy people go free.

A resolution was offered by Mr. Williams, of Giles, and adopted, extending the time when land assessors shall make returns to commissioners of the revenue to October 1 of this year. Speaking to this resolution, Judge Williams said that the Auditor had not yet sent out the land books for the year, and that the assessors would be affected by this. This gives the assessors two months of additional time.

Mr. Fitzhugh offered a resolution allowing each member to call up one House bill on its second reading, after which bills on their third reading had been disposed of.

This was opposed by Speaker Byrd. He did not think that members who have never before gone through with the conclusion of a session could understand the seriousness of the situation. This resolution would block legislation. It would mean two roll calls on every measure, that revenue and appropriation bills could not be considered, and that the session must be extended or an extra session called. Mr. Fitzhugh withdrew his proposition.

Mr. Deal again wanted all debate limited to five minutes. Chairman Bowman, of the Finance Committee, said he would agree if it were applied only to House bills on their third reading and not the revenue bills.

Mr. Byrd opposed it. He believed in free speech and honest discussion. He thought many members had not known how to vote on the tax equalization bill until they had heard the debate. Mr. Deal said that if the gentleman from Accomac withdrew his proposition, he would withdraw his proposition.

The member from Accomac discontinued, but Mr. Stearnes renewed the motion, and it was carried, not to apply to revenue measures.

A Heavy Petition. Mr. Casey, of Albemarle, presented a petition containing a total of nine names, relating to the subject of State-wide prohibition.

A local bill relating to the town of Chatham was taken up out of its order and passed.

The Honorable court bill received similar attention.

Mr. West, of Nansemond, renewed his motion of the night before to get consideration of his bill leaving the dog law optional with boards of supervisors, so changed as to include only a few counties. The House refused to take it up.

The bill fixing the salaries of employees of the Department of Agriculture was taken up, and amended by Mr. Talliferro by bringing nearly

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The Farmers' Educational and Co-operative Association thanked the House for its favorable action on the agricultural lime bill.

Tax Measure Needed. Secretary Owen brought a message from the Governor, calling attention to the imperative need of tax equalization. This was done in view of the defeat of the Fletcher bill in the House on Tuesday. The importance, said the executive, of a uniform method of assessment could not be overestimated. Failure to provide some measure would halt the plans of the State for further advance. He urged mutual concessions, and asked, even if a perfect method could not be devised, that some bill be passed which would be just to the land owners and would meet the needs of the State.

The House bill providing for the removal of obstruction in water courses, which had been reported from the Committee on General Laws with an unfavorable recommendation, was defeated without argument by a vote of 22 to 58.

Next came the bill prohibiting the establishment of toll gates on roads built in whole or in part by State aid. Mr. Talliferro thought this for the best interest of the State. He had no axe to grind, and the matter was of no personal interest to him.

Toll Gates Necessary. Mr. Kemper agreed that the member from Orange had the right to his own opinion, and he wanted to reserve to the counties the same right. If the good roads movement is continued the establishment of toll gates would become a necessity. The bill was rejected—32 to 42.

The following bills were passed, practically without opposition: To empower the State Corporation Commission to close or discontinue any private dock or wharf affected with a public easement in certain cases. Patron, Mr. Toney.

To provide for verdict and judgment in action of ejectment according to the facts, both as to the right of title and possession.

Providing for division and distribution of remaindermen when amount of sales is less than \$100.

The Governor's bill here came to the top. Mr. Talliferro again opposed it. He did not know what he was considering, he said. A substitute had been offered to the bill which the Committee on Agriculture and Mining had before it. It was a "big in a bag," which would be heard to squeal later. He regarded it as an attempt to pass the bill under the whip of the claim that it was the Governor's bill. He was not fighting the executive, but he did not believe in codifying these divisions. It was, he thought, wrong in principle. It was not drawn by the members who had offered it, but came from an alien source. He thought an effort had been made to drag the bill through by mentioning it in the House. The bill had not been before his committee.

Mr. Love regretted that the liberties of the people were being taken away from them and given to boards. The State Board of Agriculture already had the most unlimited power ever given to an organization.

Mr. Page, for the bill, said that action upon it had been open and as fair as daylight. It would actually curb some of the power of the board, which Mr. Love had feared. He protested against any imputation of unfairness. Practically the only change made by the substitute was that adding an experiment station to the list. This had been done because Congress

man Flood said he did not think it would interfere with national appropriations. The bill was passed—57 to 24.

Many Bills Passed. The Thompson bill, requiring trolley lines to grade roads by the side of their tracks when they have taken possession of county roads, was passed, as was the Casey bill requiring the payment of salaries at least twice a month, with certain exceptions.

This concluded the disposition of House bills on their third reading, and the special order with reference to revenue bills was resumed. The following were passed without debate: Taxing telegraph and telephone companies. Making collateral inheritance taxes a lien on the property.

Providing a penalty on corporations for failing to file tax returns.

Regulating the fees of the Treasurer of the city of Newport News. This bill had been gotten on this list by mistake, but Mr. Stearnes, of course, did not object.

A bare constitutional majority was secured for the bill taxing soda fountains. It got 51 votes, and there were 23 in opposition. The tax is \$5 on each fountain in towns of more than 2,000 people, and \$2.50 elsewhere, with \$15 on manufacturers. It does not apply to pure cider.

Oil Bill on Passage. The oil bill came up next. Mr. Byrd (Mr. Cox in the chair) said that during this session he had not asked for a single appropriation, but had taken the unpopular role of getting revenue for other people to spend. The Treasury needs money, and the people look to the Legislature to provide means for the support of the government and its institutions.

Only twelve States, he said, have no oil inspection law. The result is that the Standard Oil Company dumps its bad oil on these twelve States. It has been told by a member of the House that this company brings oil which has been rejected in States where inspection is had and sells it in Virginia. He was told, further, by Mr. McChesney, who lives in the Virginia side of Bristol, that some people there buy oil in Tennessee because that State has inspection. The new Corporation Commissioner, Mr. Wingfield, sends out of the State for the oil.

He had noticed that Mr. Harwood was taking notes of his remarks. It was touching to him that the member who represents Richmond, where but little oil is used, was so solicitous for the poor man. Mr. Harwood said that was not his point. He would oppose the bill because it created political jobs. The Speaker said that he knew nothing about any intention to make jobs. Somebody would have to do the work, as is necessary in all of the State's methods of taxation.

On his bill he had consulted the clerk of the State Corporation Commission and the State Chemist. He read a letter from the latter commending the bill. Mr. Harwood called attention to an impossibility in the bill to which he himself had called the attention of the chemist, who would therefore not so much an expert.

The Speaker said he was not particular about the test. He was no oil expert. He had an amendment to allow the State Corporation Commission to establish the test after hearing expert testimony. The chief argument against the bill was that it would increase the cost of oil to the consumer. A similar argument would in the last analysis apply to all forms of taxation. He was informed that prices of oil in inspection States were about the same as in Virginia. A letter from the North Carolina Commissioner of Agriculture said that the oil had shown improvement in lighting qualities since the establishment of inspection.

The price of oil in the Old North State had not been advanced. Mr. Harwood asked if the chemist had inspected and inquired if the Speaker knew that the price has been reduced everywhere else except in North Carolina. The Speaker did not know this.

Amendments were presented by the Speaker, as suggested by the State Chemist, and the clerk of the Corporation Commission.

At this point the House rose until 4 o'clock.

Debate on Oil Bill. All through the two hours of the afternoon session the debate on the oil bill was continued. The principal speech was delivered by Mr. Harwood, in opposition.

When the House met at 4 o'clock a message was received from Governor Mann vetoing a section of the bill providing a new charter for the town of Henric, in Russell county. The objection was that it did not appear whether or not the boundaries were

being changed. Mr. Johnson, the patron of the bill, said he would try to secure an amendment to meet the Governor's views.

Mr. Riew was the first speaker on the oil bill. He said the Legislature might as well establish a brand inspection or a salt inspection. Of course, he argued, the manufacturer, the jobber and the retailer would pay the tax. Economy should be practiced, if necessary, rather than levy such a burden on the people. He was glad to say that he had voted in the last Legislature not to increase the salaries of State officers. He saw political jobs in this bill.

Other Inspections. Mr. West, of Bedford, said that he thought this was one of the best bills for which it had been his opportunity to vote. The State has established inspections for nearly every thing else. These men, he thought, would earn their salaries many times over. He thought the people needed good oil as well as good milk and good food.

Delivering his maiden speech in almost the last hours of the session, Mr. Spatig said that it was unnecessary for him to say that he was not an oil clerk. As to the number of inspectors, he thought the State Corporation Commission might have the power to appoint one for each congressional district. However, since he was in district, he would not do so. He had never seen the time when Rockefeller made a donation, that the price of oil did not go up. Oil was a purely necessary article, and the users would have to pay this tax.

Mr. Evans offered some amendments. He would do away with the office of oil clerk. As to the number of inspectors, he thought the State Corporation Commission might have the power to appoint one for each congressional district. However, since he was in district, he would not do so. He had never seen the time when Rockefeller made a donation, that the price of oil did not go up. Oil was a purely necessary article, and the users would have to pay this tax.

Mr. Adams, who lived near the North Carolina line, thought the price in the two States was about the same. The prices of oil are not controlled by the laws of supply and demand, but by the arbitrary action of the Standard Oil Company, he said. He believed the Standard had too much judgment to come and fight the bill, but was allowing the contest to be made by independent dealers who were really controlled by the trust.

An amendment was offered by Mr. Yarell taxing the drivers of oil wagons as peddlers. Speaking to this, he said that it would be a good revenue producer and would help the poor man buy oil on his own terms.

Mr. McChesney said his people wanted the bill to pass. In his city of Bristol the people buy oil on the Tennessee side, where it is of a better quality. In that State there is inspection.

Would Suit Standard. Mr. Harwood then began his address. He had been for twenty-five years a jobber and refiner of oil. Illuminating oil taxes would not affect him because he tries not to sell it. He is in the lubricating oil business. He opposed the bill because it would increase the cost of oil to the consumer. A similar argument would in the last analysis apply to all forms of taxation. He was informed that prices of oil in inspection States were about the same as in Virginia. A letter from the North Carolina Commissioner of Agriculture said that the oil had shown improvement in lighting qualities since the establishment of inspection.

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